

Amendment
Serial No. 10/758,585
BREAST PUMP PRESSURE REGULATOR VALVE
Docket No. : ECI06-GN015

REMARKS

Introductory Comments

Claims 18-22 and 34-37 are pending in the present application. Claims 1-17 and 23-33 have been cancelled. Claims 18 and 20 have been amended. Claims 34-37 have been newly added. The specification at paragraphs [0031], [0032] and [0034] has been amended. Reconsideration of the application is respectfully requested.

Non-Compliant Amendment

Applicants inadvertently omitted the status identifiers for claims 19, 21, and 22. The instant set of claim include status identifiers for each of the pending claims and those previously cancelled.

Restriction Requirement

The instant Office action indicates that the pending claims, 1-33, are subject to a restriction or election requirement, pursuant to the restriction requirement of January 31, 2006. The February 24 Office action indicates that Applicant is required under 35 U.S.C. §121 to elect a single disclosed species for prosecution on the merits.

As indicated on pages 2 and 3 of the February 24 Office action, it is alleged that the application contains claims directed to two patentably distinct inventions: (1) Group I, corresponding to claims 18-22, drawn to a breast pump, classified in class 604, subclass 74; and, (2) Group II, corresponding to claims 1-17 and 23-33, drawn to a pressure regulation device, classified in class 251, subclass 205. Applicant provisionally elected over the telephone on February 6 to prosecute claims 18-22, corresponding to Group I, drawn to a breast pump. Applicant hereby confirms this provisional election and elects in writing to prosecute claims 18-22, corresponding to Group I, **without traverse**. In light of the restriction and election of Group I, Applicants have cancelled claims 1-17 and 23-33. Favorable consideration of the elected claims is respectfully requested.

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Specification Objections

Paragraphs [0031], [0032], and [0034] have been objected to as containing certain informalities. These informalities have been fully addressed in the amendment to the specification included herewith. Favorable consideration of the application is respectfully requested.

Claim Objections

Claim 20 stands objected to as allegedly including an informality. This informality has been fully addressed in the amendment to claim 20. Favorable consideration of the pending claims is respectfully requested.

35 U.S.C. §102 Rejections

Claims 18 and 21 stand rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 4,886,494 to Morifuji ("Morifuji"). This ground of rejection with respect to claims 18 and 21 has been overcome by the amendments to claim 18.

Claim 18 has been amended to recite in part that the pressure regulator includes a valve seat and a valve body, at least one of the valve seat and the valve body is selectively repositionable to manipulate the reduced pressure approximate the interface by varying the proximity of the valve seat with respect to the valve body, and the valve body is biased away from the valve seat. It is respectfully submitted that Morifuji only discloses a valve body that is biased toward the valve seat. Thus, claims 18 and 21 are distinguishable from Morifuji for at least this reason.

Reconsideration and withdrawal of the 35 U.S.C. §102(b) rejections of record for claims 18 and 21 are respectfully requested.

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35 U.S.C. §103 Rejections

Claims 19, 20 and 22 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over by U.S. Patent No. 4,886,494 to Morifuji ("Morifuji") in view of U.S. Patent No. 6,887,210 to Quay ("Quay"). This ground of rejection with respect to claims 19, 20 and 22 has been overcome by the amendments to claim 18.

Claim 18 has been amended to recite in part that the pressure regulator includes a valve seat and a valve body, at least one of the valve seat and the valve body is selectively repositionable to manipulate the reduced pressure approximate the interface by varying the proximity of the valve seat with respect to the valve body, and the valve body is biased away from the valve seat. It is respectfully submitted that Morifuji only discloses a valve body that is biased toward the valve seat, whereas Quay does not even disclose a pressure regulator incorporated with a breast pump. Thus, claims 19, 20 and 22 are distinguishable from Morifuji and Quay for at least this reason.

Reconsideration and withdrawal of the 35 U.S.C. §103(a) rejections of record for claims 19, 20 and 22 are respectfully requested.

Newly Added Claims

Claims 34-37 have been newly added, with claim 34 being directed to a breast pump comprising: (a) a breast horn adapted to create a fluidic seal between an interior portion of the breast horn and a breast; (b) a reservoir in fluid communication with the interior portion of the breast horn for receiving milk drawn from the breast and passing through the breast horn; (c) a pump in fluid communication with the breast horn, where the pump induces a reduced pressure to draw milk from the breast and through the breast horn and into the reservoir; and (d) a valve in fluid communication with the pump to regulate the reduced pressure, the valve including a valve body, a valve seat and a helix, the helix mounted to the valve body so that the helix is wound around the valve body and biases the valve body away from the valve seat. It is respectfully submitted that neither Morifuji nor Quay discloses a valve to regulate the pressure generated by including a valve body, a valve seat and a helix, where the helix is mounted to the valve body so

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that the helix is wound around the valve body to bias the valve body away from the valve seat.
Thus, claims 34-37 are distinguishable from Morifuji and Quay for at least this reason.

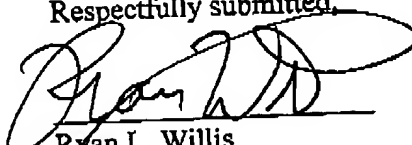
Conclusion

In light of the foregoing, it is respectfully submitted that claims 18-22 and 34-37, now pending and elected, are patentably distinct from the reference cited and are in condition for allowance. Reconsideration and withdrawal of the rejections and objections of record are respectfully requested.

The Commissioner for Patents is hereby authorized to charge any additional fees that may be required by this paper, or to credit any overpayment to Deposit Account 50-3072.

In the event that the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number provided below.

Respectfully submitted,


Ryan L. Willis
Reg. No. 48,787

30074
Taft, Stettinius & Hollister LLP
425 Walnut Street, Suite 1800
Cincinnati, OH 45202-3957
513-357-9663
willis@taftlaw.com